

of the Interests; (3) compel delivery of all Intellectual Property and Internet Assets to Purchaser; and  
(4) resolve any disputes arising under or related to the Agreement, the Sale or the Transactions or Purchaser's peaceful use and enjoyment of the Intellectual Property and Internet Assets.

Dated: Richmond, Virginia  
\_\_\_\_\_, 2009

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UNITED STATES BANKRUPTCY JUDGE

WE ASK FOR THIS:

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**CERTIFICATION OF ENDORSEMENT UNDER LOCAL RULE 9022-1(C)**

Pursuant to Local Bankruptcy Rule 9022-1(C), I  
hereby certify that the foregoing proposed order has  
been endorsed by or served upon all necessary parties.

/s/ Douglas M. Foley

Douglas M. Foley

EXHIBIT A

(Agreement)

**EXHIBIT D**



[weekly ad](#) | [browse sale items](#)

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1-888-244-6594
- [store locator](#)  
find a store
- [learning center](#)  
articles, forums & blogs

- [CART](#)
- [WISH LIST](#)
- [MY ACCOUNT](#)
- [ORDER STATUS](#)

- [FINANCING](#)
- [OUTLET](#)
- [GIFT CARDS](#)
- [SHOP BY BRAND](#)
- [HELP](#)

Free shipping on orders \$24 & up or choose store pickup

SEARCH:  [Entire Site](#) ▼

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Order anytime @

## circuitcity.com privacy policy

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Circuit City knows that you may have concerns about privacy while shopping or surfing on the Internet. This Privacy Policy describes how we use and do not use information provided to us at circuitcity.com, and the steps we take to protect it. This Privacy Policy only applies to information collected online.

☐ [Mo](#)

☐ [View all](#)

### Personal information we collect online

When you make a purchase on circuitcity.com, we ask for your name, address, phone number, email address and other personal information necessary to fulfill and track your order. For purposes of billing, you will need to provide your credit card type, number, expiration date and billing address for the card. If your order is to be shipped, we also need the name, address and phone number of the intended recipient(s).

You also may create an account through circuitcity.com at any time by providing your email address and designating a unique access password. You do not need to create an account in order to visit our site or to place an order through circuitcity.com. Creating an account allows you to save certain billing information so that you can track the status of your orders and set your ordering preferences. For your privacy and security, we do not store credit card or Gift Card numbers in your account. You may change saved account information at anytime. Simply go to the [My Account](#) page, log in with your email address and password, then click "Edit or View Your Account."

Occasionally we conduct surveys and contests on circuitcity.com. If you choose to participate in an online contest, we may request information from you that will permit us to administer the contest and notify the winner(s). In addition, we may ask for other optional survey information, such as gender, age and previous shopping experience with Circuit City.

### Cookies and other computer information

Like most other commercial websites, we use standard "cookie" and "web beacon" technology and web server logs to collect information about how our website is used. Cookies are pieces of data that a website transfers to a visitor's hard drive for record-keeping purposes. Cookies placed on our website may be set directly by our servers or by third parties providing analytics and technical services to us. Please note that you can set your browser to refuse all cookies or to indicate when a cookie is being sent, however some portions of our website may not work properly if you refuse all cookies. For more information on our use of third party cookies, and to opt-out of being tracked by these companies, please [see below](#).

Web beacons are transparent pixel images that are used in collecting information about website visitor activities and e-mail response and tracking. For example, if we send you an e-mail message, we (or third parties providing services on our behalf) may collect information through web beacons to determine whether you have opened the e-mail message or clicked on links located within the e-mail message.

Information gathered through cookies and by our web server logs may include your IP address, your Internet browser (e.g., Netscape), your operating system (e.g., Windows 2000), the domain name of your internet service provider (e.g., AOL) the date and time of your visits, the pages viewed, the time spent at our website, and the websites visited just before and just after our website. This information may be associated with your personal information.

We also have carefully selected the following companies to help us administer our website, serve ads, and

provide analytics. They also collect information about visitors to circuitcity.com who come to our site from another website by clicking a Circuit City banner advertisement. Unless you opt-out, these companies will place a cookie on your computer to collect computer information such as IP address, site navigation information and personal information, such as your email address (if you have provided it).

We respect your privacy, however, and our partners all offer you the opportunity to opt-out of being tracked by their cookies. To learn more and to opt-out, please visit the following companies:

Omniiture [click here](#).  
Advertising.com [click here](#).  
TruEffect [click here](#).

### Is information shared with third parties?

We do not rent, sell or exchange your name or other personally-identifiable information to third-party companies for their marketing purposes. We do provide your personal information to reputable organizations that help us to fulfill your order. For example, we use companies to verify and process credit card transactions, to deliver packages, to schedule and perform product installations and to administer service programs. We may share your information with others who help us analyze sales data, maintain our records, and provide other services for Circuit City such as collect site navigation information. We also may share your information with companies that act on our behalf and at our direction to notify you of additional Circuit City products and services. These companies may also conduct customer satisfaction surveys and manage other customer services and benefits for us. In any case, these third parties are **not authorized** to use your information for any reason other than to perform their contractually assigned functions.

We may be required to disclose your personal information to third parties if necessary to comply with applicable laws, subpoenas or court orders.

### How will my information be used?

Information collected on circuitcity.com may be used in the following ways:

- Schedule deliveries of merchandise that you purchase online
  - Create an online account for you at circuitcity.com
    - Bill your credit card for your purchases
    - Confirm and track your orders
- Make your product purchased online available for [In-Store Pickup](#) at a Circuit City store
  - Respond to your customer service inquiries
- Provide promotional communication and other information to you, if you choose to receive them
  - Offer the products you want
  - Customize your shopping experience
  - Improve our website design

### Accessing and updating my information

You can access and correct information you have shared with us online if you have established an account with circuitcity.com. Simply go to the [My Account page](#), log in with your email address and password, then click "Edit or View Your Account" and edit or delete whatever information you wish. Do not share your circuitcity.com password with anyone. If you have not established an account with circuitcity.com, [click here](#)

and then click the "Create New Account" button.

### How can I decide what promotional communications I will receive?

The personal information you supply us will be added to our customer database. We may send you promotional emails about Circuit City products, services or contests that we hope will be of interest. At any time, you can choose to discontinue receiving such promotional email by accessing the [Preference Center](#) and unchecking any of the subscription boxes, or clicking the "unsubscribe all" link. Additionally, each promotional email we send contains a link allowing you to discontinue future emails from us. You also may send your request to unsubscribe at any time to [mkt\\_unsubscribe@circuitcity.com](mailto:mkt_unsubscribe@circuitcity.com) from the email address you wish to unsubscribe. You may also call or write us as provided in this Privacy Policy in the section below titled "[Whom do I contact with questions?](#)" Please allow us a reasonable period of time in order to satisfy your request, as some promotions may already be in process.

### Children's online policy

Circuit City is committed to preserving online privacy for all of its website visitors, including children. Circuitcity.com is a general audience site, and we do not knowingly collect information about children or sell products to children. Consistent with the Children's Online Privacy Protection Act, we will not knowingly collect any information from or sell products to children under the age of 13. If you are under the age of 13, you must ask your parent or guardian to assist you in using circuitcity.com.

### Privacy protection

We protect our databases with various physical, technical and procedural measures and we restrict access to your information by unauthorized persons. Our information systems are maintained behind a software firewall to isolate them from access by other networks connected to the Internet. We also advise all Circuit City employees about their responsibility to protect customer data and we provide them with appropriate guidelines for adhering to our company's business ethics standards and confidentiality policies.

All information transmitted through circuitcity.com is stored on our secure server. We use Secure Sockets Layer (SSL) technology, which is the electronic commerce standard for securing information as it travels over the Internet. SSL technology is designed to encrypt your information, preventing an unauthorized party from viewing and downloading your information. Your web browser should display a web address with an "https" prefix, indicating that the SSL technology is operating when using certain portions of our website, such as the Checkout and My Account features.

### Linking to and from outside websites

Circuitcity.com sometimes provides links to other companies' websites. Unless we expressly say otherwise, a link to another website does not mean that we are responsible for, or that we endorse the content or policy of that website. When you provide information at one of those sites, you are subject to that site's privacy policy. We encourage you to read that website's policy before submitting any information if you have concerns about how information may be collected or used.

You may make a purchase from circuitcity.com through a link from another website or search engine. You may also use an express checkout tool from another website to make a purchase at circuitcity.com. In such event, please be aware that both circuitcity.com and that website or search engine may have access to certain portions of your information. Our Privacy Policy does not apply to those other websites or search engines.



### Whom do I contact with questions?

If you have any questions or comments about this Privacy Policy, call us at 1-888-244-6594 or write us at:

Circuit City Stores, Inc.  
Attention: Consumer Affairs  
9960 Mayland Drive  
Richmond, VA 23233

Please remember to include your postal address, e-mail address and phone number with your correspondence.

Additionally, if you want to opt-out of promotional e-mail communications from us, you may call, write or send your request to unsubscribe at any time to [mkt\\_unsubscribe@circuitcity.com](mailto:mkt_unsubscribe@circuitcity.com) from the e-mail address you wish to unsubscribe.

### Your California privacy rights

California residents can now ask companies with whom they have an established business relationship to provide certain information about the companies' sharing of personal information with third parties for direct marketing purposes during the past year.

**Circuit City does not share personal information about its customers with third parties for their own marketing purposes.**

To request a printed copy of this disclosure from Circuit City pursuant to Section 1798.83 of the California Civil Code, please [contact us via email](#) or write to us at:

Circuit City Stores, Inc.  
Attn: California privacy rights  
9954 Mayland Dr.  
Richmond, VA 23233

### Privacy Policy changes

This Privacy Policy was posted on [circuitcity.com](http://circuitcity.com) on July 28, 2008. We reserve the right to change, modify or amend this policy at any time. If we make any significant change to this policy, we will provide notice of the change on [circuitcity.com](http://circuitcity.com).

[Understanding the analog-to-digital TV transition](#) 

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